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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/663,804	TOGAMI ET AL.	
	Examiner	Art Unit	
	Beniyam Menberu	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 October 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21,23 and 24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21,23 and 24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/16/08,10/31/08*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments with respect to claims 1, 21, and 23 have been considered but are moot in view of the new ground(s) of rejection.

Specification

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 3 discloses:

"the content determination unit, the image processing unit, and the transmission unit operate independently of the scanner unit, in separate operation modes, respectively."

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 4 discloses:

"wherein when the color determination unit determines that the image data is color image data, the content determination unit determines the content to be a conversion of the color image data into monochrome image data."

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 13 discloses:

"a correlation detecting unit that detects whether there is a correlation between a plurality of image data,

wherein the content determination unit determines to apply same image processing to the plurality of image data upon the correlation detecting unit detecting that there is the correlation".

5. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 19 discloses:

"a correlation detecting unit that detects whether there is a correlation between a plurality of image data,

wherein the content determination unit determines to apply same image processing to the plurality of image data upon the instruction reception unit receiving different instruction information for each image data, and upon the correlation detecting unit detecting that there is the correlation."

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1, 2, 3, 6, 7, 13, 14, 15, and ~~20-25~~ 20-21 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. US. 2002/0052974 A1 to Saito in view of U.S. Patent Application Publication No. US 2002/0114002 A1 to Mitsubori et al.

Regarding claims 1, Saito '974 discloses an image processing apparatus comprising:

a content determination unit that determines content of image processing to be applied to each of a plurality of image data (page 2, paragraph 40, 43, 44, 45; type of compression 2040 is based on content (color/monochrome) of image data.);

an image processing unit that applies the image processing based on the content determined to corresponding image data (page 3, paragraph 48-51; format processing based on content (color/monochrome)); and

a transmission unit that transmits the image data processed to an external unit (Figure 3, reference 3008; page 2, paragraph 36; page 3, paragraph 52-54, 57-59). However Saito '974 does not disclose a color determination unit that performs color determination processing to determine whether the image data is color image data or monochrome image data.

Mitsubori et al '002 discloses a color determination unit that performs color determination processing to determine whether the image data is color image data or monochrome image data (page 9, paragraph 146, 150, steps s907, no/yes).

Having the system of ***Saito '974*** and then given the well-established teaching of ***Mitsubori et al '002***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Saito '974*** as taught by ***Mitsubori et al '002***, since ***Mitsubori et al '002*** stated in page 3, paragraph 70, 71, such a modification would provide image type (color/monochrome) based transmission.

Regarding claim 2, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 1. Further Mitsubori et al '002 discloses the image processing apparatus according to claim 1, wherein the content determination unit determines the content, based on a result of determination by the color determination unit (page 9, paragraph 150; depending on color/monochrome determination in step s907, image data is transferred to printer in step s908,s909 or internet transmission of web pages s911-s917).

Regarding claim 3, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 1. Further Saito '974 discloses the image processing apparatus according to claim 1, wherein the content determination unit (page 3, paragraph 48, reference 3001), the image processing unit (page 3, paragraph 50, format processing), and the transmission unit operate independently of the scanner unit, in separate operation modes (page 2, paragraph 33), respectively (page 2, paragraph 43-46; The image data is stored in 2004; page 3, paragraph 48-51,58; The transmission and formatting is using data from memory 2004 without directly using scanner data.).

Regarding claim 6, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 2. Further Saito '974 discloses the image processing apparatus according to claim 2, wherein the image processing includes compression processing , and the content determination unit determines content of the compression processing based on the result of the determination by the color determination unit (page 2, paragraph 43, 44).

Regarding claim 7, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 1. Further Saito '974 discloses the image processing apparatus according to claim 1, wherein the image processing includes general format conversion to convert the image data into image data that is available in a general information processing apparatus (page 3, paragraph 50, 51, 58).

Regarding claim 13, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 1. Further Saito '974 disclose the image processing apparatus according to claim 1, further comprising a correlation detecting unit that detects whether there is a correlation between a plurality of image data, wherein the content determination unit determines to apply same image processing to the plurality of image data upon the correlation detecting unit detecting that there is the correlation (page 3, paragraph 50,51; "one file" in paragraph 51 reads on "same" processing).

Regarding claim 14, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 13. Further Saito '974 disclose the image processing apparatus according to claim 13; further comprising an instruction reception unit that receives an

instruction, which indicates execution of the same image processing to the plurality of image data, from a user, (page 3, paragraph 48, user inputs a "format" for the images) wherein the content determination unit determines to apply the same image processing to the plurality of image data upon the instruction reception unit receiving the instruction (page 3, paragraph 50, 51, 58; conversion to one format reads on "same processing").

Regarding claim 15, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 1. Further Saito '974 disclose the image processing apparatus according to claim 1, further comprising an instruction reception unit that receives instruction information indicating an instruction from a user, wherein the content determination unit determines the content of the image processing, based on the instruction information for each image data (page 3, paragraph 48, 58; "format").

Regarding claim 20, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 1. Further Saito '974 discloses the image processing apparatus according to claim 1, further comprising an image forming unit that forms an image on a recording medium based on the image data after the image processing (page 2, paragraph 30, 31; 2095, 2090).

Regarding claim 21, Saito '974 discloses a method for image processing comprising:

determining content of image processing to be applied to each of a plurality of image data (page 2, paragraph 40, 43, 44, 45; type of compression 2040 is based on content (color/monochrome) of image data.);

applying the image processing based on the content determined to corresponding image data (page 3, paragraph 48-51; format processing based on content (color/monochrome)); and

transmitting the image data processed to an external unit (Figure 3, reference 3008; page 2, paragraph 36; reference 1003, 1004 are external unit; page 3, paragraph 52-54, 57-59). However Saito '974 does not disclose determining whether the image data is color image data or monochrome image data.

Mitsubori et al '002 discloses determining whether the image data is color image data or monochrome image data (page 9, paragraph 146, 150, steps s907, "no/yes").

Having the system of ***Saito '974*** and then given the well-established teaching of ***Mitsubori et al '002***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Saito '974*** as taught by ***Mitsubori et al '002***, since ***Mitsubori et al '002*** stated in page 3, paragraph 70, 71, such a modification would provide image type (color/monochrome) based transmission.

Regarding claim 23, see rejection of claim 21.

Regarding claim 24, Saito '974 discloses an image processing system comprising: an image processing apparatus, comprising

a content determination unit that determines content of image processing to be applied to each of a plurality of image data (page 2, paragraph 40, 43, 44, 45; type of compression 2040 is based on content (color/monochrome) of image data.),

an image processing unit that applies the image processing based on the content determined to corresponding image data (page 3, paragraph 48-51; format processing based on content (color/monochrome)),

a transmission unit that transmits the image data processed to an external unit (Figure 3, reference 3008; page 2, paragraph 36; reference 1003, 1004 are external unit; page 3, paragraph 52-54, 57-59), the external unit that receives the processed image data from the transmission unit (page 3, paragraph 58; external units 1003/1004 receive formatted data.). However Saito '974 does not disclose a color determination unit that performs color determination processing to determine whether the image data is color image data or monochrome image data.

Mitsubori et al '002 disclose a color determination unit that performs color determination processing to determine whether the image data is color image data or monochrome image data (page 9, paragraph 146, 150, steps s907, "no/yes").

Having the system of ***Saito '974*** and then given the well-established teaching of ***Mitsubori et al '002***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Saito '974*** as taught by ***Mitsubori et al '002***, since ***Mitsubori et al '002*** stated in page 3, paragraph 70, 71, such a modification would provide image type (color/monochrome) based transmission.

8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. US. 2002/0052974 A1 to Saito in view of U.S. Patent

Application Publication No. US 2002/0114002 A1 to Mitsubori et al further in view of U.S. Patent No. 7046394 to Yasunobu.

Regarding claim 4, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 2. However Saito '974 in view of Mitsubori et al '002 does not disclose the image processing apparatus according to claim 2, wherein when the color determination unit determines that the image data is color image data, the content determination unit determines the content to be conversion of the color image data into monochrome image data.

Yasunobu '394 discloses wherein when the color determination unit determines that the image data is color image data the content determination unit determines the content to be conversion of the color image data into monochrome image data (column 12, lines 31-41).

Having the system of ***Saito '974 in view of Mitsubori et al '002*** and then given the well-established teaching of ***Yasunobu '394***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Saito '974 in view of Mitsubori et al '002*** as taught by ***Yasunobu '394***, since ***Yasunobu '394*** stated in col. 2, lines 10-14, such a modification would provide the required conversion from color to monochrome for monochrome receiving system.

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. US. 2002/0052974 A1 to Saito in view of U.S. Patent Application Publication No. US 2002/0114002 A1 to Mitsubori et al further in view of U.S. Patent No. 6426809 to Hayashi et al.

Regarding claim 5, Saito teaches all the limitations of claim 2. However Saito does not disclose the image processing apparatus according to claim 2, wherein when the color determination unit determines that the image data is monochrome image data, the content determination unit determines the content to be binarization of the image data.

Hayashi et al '809 disclose wherein when the color determination unit determines that the image data is monochrome image data, the content determination unit determines the content to be binarization of the image data (Figure 2, step s205, s211, s213; column 7, lines 56-67; column 8, lines 1-6).

Having the system of ***Saito '974 in view of Mitsubori et al '002*** and then given the well-established teaching of ***Hayashi et al '809***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Saito '974 in view of Mitsubori et al '002*** as taught by ***Hayashi et al '809***, since ***Hayashi et al '809*** stated in col. 1, lines 63-67; column 2, lines 31-40, such a modification would provide color and monochrome image data transmission with quality and lower data amount respectively.

10. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. US. 2002/0052974 A1 to Saito in view of U.S. Patent Application Publication No. US 2002/0114002 A1 to Mitsubori et al further in view of U.S. Patent No. 6449060 to Kawai et al.

Regarding claim 8, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 1. However Saito '974 in view of Mitsubori et al '002 does not

disclose the image processing apparatus according to claim: 1, wherein the image processing includes color conversion processing, and the content determination unit determines to perform the color conversion processing based on the result of the determination by the color determination unit.

Kawai et al '060 disclose wherein the image processing includes color conversion processing, and the content determination unit determines to perform the color conversion processing based on the result of the determination by the color determination unit (column 15, lines 26-49).

Having the system of ***Saito '974 in view of Mitsubori et al '002*** and then given the well-established teaching of ***Kawai et al '060***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Saito '974 in view of Mitsubori et al '002*** as taught by Kawai et al '060, since ***Kawai et al '060*** stated in col. 2, lines 42-51; column 15, lines 50-59, such a modification would provide a lower cost for image processing.

11. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. US. 2002/0052974 A1 to Saito in view of U.S. Patent Application Publication No. US 2002/0114002 A1 to Mitsubori et al further in view of U.S. Patent No. 6449060 to Kawai et al further in view of U.S. Patent No. 6788339 to Ikeda.

Regarding claim 9, Saito '974 in view of Mitsubori et al '002 further in view of Kawai et al '060 teaches all the limitations of claim 8. However Saito '974 in view of Mitsubori et al '002 further in view of Kawai et al '060 does not disclose the image

processing apparatus according to claim 8, wherein the content determination unit changes a parameter for the color conversion processing for each image data.

Ikeda '339 discloses wherein the content determination unit changes a parameter for the color conversion processing for each image data (column 6, lines 8-21; column 17, lines 40-67; column 18, lines 1-5).

Having the system of ***Saito '974 in view of Mitsubori et al '002 further in view of Kawai et al '060*** and then given the well-established teaching of ***Ikeda '339***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Saito '974 in view of Mitsubori et al '002 further in view of Kawai et al '060*** as taught by ***Ikeda '339***, since ***Ikeda '339*** stated in col. 17, lines 66-67; column 18, lines 26-34, such a modification would provide color printing most appropriate to the color parameter.

12. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. US. 2002/0052974 A1 to Saito in view of U.S. Patent Application Publication No. US 2002/0114002 A1 to Mitsubori et al further in view of U.S. Patent No. 5446476 to Kouzaki.

Regarding claim 10, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 1. However Saito '974 in view of Mitsubori et al '002 does not disclose the image processing apparatus according to claim1, wherein the image processing includes gamma correction processing.

Kouzaki '476 discloses wherein the image processing includes gamma correction processing (column 5, lines 10-19; reference 89).

Having the system of ***Saito '974 in view of Mitsubori et al '002*** and then given the well-established teaching of ***Kouzaki '476***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Saito '974 in view of Mitsubori et al '002*** as taught by ***Kouzaki '476***, since ***Kouzaki '476*** stated in col. 1, lines 45-64, such a modification would provide appropriate image data processing for the location of the user through the modification of gamma processing (column 1, lines 45-64).

Regarding claim 11, Saito '974 in view of Mitsubori et al '002 further in view of Kouzaki '476 teaches all the limitations of claim 10. Further Kouzaki disclose the image processing apparatus according to claim 10, wherein the content determination unit changes gamma correction data used for the gamma correction processing for each image data (column 7, lines 35-63).

13. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. US. 2002/0052974 A1 to Saito in view of U.S. Patent Application Publication No. US 2002/0114002 A1 to Mitsubori et al further in view of U.S. Patent Application Publication No. US 2003/0011815 A1 to Kita.

Regarding claim 12, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 1. However Saito '974 in view of Mitsubori et al '002 does not disclose wherein the image processing includes halftone processing.

Kita '815 discloses wherein the image processing includes halftone processing (page 3, paragraph 75).

Having the system of ***Saito '974 in view of Mitsubori et al '002*** and then given the well-established teaching of ***Kita '815***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Saito '974 in view of Mitsubori et al '002*** as taught by ***Kita '815***, since ***Kita '815*** stated in page 3, paragraph 75, 77, 78, page 4, paragraph 80; Figure 3, A-4,A-5, A-8, A-9, A-13, such a modification would provide selection of appropriate processing for image data before printing.

14. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. US 2002/0052974 A1 to Saito in view of U.S. Patent Application Publication No. US 2002/0114002 A1 to Mitsubori et al further in view of U.S. Patent Application Publication No. US 2004/0234148 A1 to Yamada.

Regarding claim 16, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 15. However Saito '974 in view of Mitsubori et al '002 does not disclose the image processing apparatus according to claim 15, wherein the image processing includes background removal processing and color space conversion, the instruction reception unit receives the instruction information on the background removal processing for the image data, and the content determination unit changes a parameter for the color space conversion based on the instruction information.

Yamada '148 discloses wherein the image processing includes background removal processing and color space conversion (page 1, paragraph 1; page 3,

paragraph 27), the instruction reception unit receives the instruction information on the background removal processing for the image data (page 6, paragraph 83; page 9, paragraph 112), and the content determination unit changes a parameter for the color space conversion based on the instruction information (page 12, paragraph 144).

Having the system of ***Saito '974 in view of Mitsubori et al '002*** and then given the well-established teaching of ***Yamada '148***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Saito '974 in view of Mitsubori et al '002*** as taught by ***Yamada '148***, since ***Yamada '148*** stated in page 1, paragraph 1, such a modification would provide noise reduction in image processing.

15. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. US 2002/0052974 A1 to Saito in view of U.S. Patent Application Publication No. US 2002/0114002 A1 to Mitsubori et al further in view of U.S. Patent No. 6480624 to Horie et al.

Regarding claim 17, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 15. However Saito '974 in view of Mitsubori et al '002 does not disclose the image processing apparatus according to claim 15, wherein the image processing further includes gamma correction, the instruction reception unit receives the instruction information on the background removal processing for the image data, and the content determination unit changes input/output characteristic curve for the gamma correction based on the instruction information.

Horie et al '624 disclose wherein the image processing further includes gamma correction, the instruction reception unit receives the instruction information on the background removal processing for the image data (Figure 2, reference 13, 14; column 6, lines 35-67; column 7, lines 3-15), and the content determination unit changes input/output characteristic curve for the gamma correction based on the instruction information (column 10, lines 48-63; column 23, lines 20-29).

Having the system of ***Saito '974 in view of Mitsubori et al '002*** and then given the well-established teaching of ***Horie et al '624***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Saito '974 in view of Mitsubori et al '002*** as taught by ***Horie et al '624***, since ***Horie et al '624*** stated in column 11, lines 37-28-35, such a modification would provide appropriate image for the background based on the gamma processing.

16. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. US 2002/0052974 A1 to Saito in view of U.S. Patent Application Publication No. US 2002/0114002 A1 to Mitsubori et al further in view of U.S. Patent Application Publication No. US 2002/0051210 A1 to Ostromoukhov.

Regarding claim 18, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 15. However Saito '974 in view of Mitsubori et al '002 does not disclose the image processing apparatus according to claim 15, wherein the image processing further includes halftone processing, the instruction reception unit receives the instruction information on the background removal processing for the

image data, and the content determination unit changes the content of the halftone processing based on the instruction information.

Ostromoukhov '210 discloses wherein the image processing further includes halftone processing (page 4, paragraph 42), the instruction reception unit receives the instruction information (Figure 8, reference s802, 803; "Gradient") on the background removal processing for the image data (page 1, paragraph 4), and the content determination unit changes the content of the halftone processing based on the instruction information (page 5, paragraph 56-58).

Having the system of ***Saito '974 in view of Mitsubori et al '002*** and then given the well-established teaching of ***Ostromoukhov '210***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***'974 in view of Mitsubori et al '002*** as taught by ***Ostromoukhov '210***, since ***Ostromoukhov '210*** stated in page 2, paragraph 17, 18, such a modification would provides dynamic method for forming halftone.

17. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. US 2002/0052974 A1 to Saito in view of U.S. Patent Application Publication No. US 2002/0114002 A1 to Mitsubori et al further in view of U.S. Patent No. 5444544 to Oka et al.

Regarding claim 19, Saito '974 in view of Mitsubori et al '002 teaches all the limitations of claim 15. However Saito '974 in view of Mitsubori et al '002 does not disclose the image processing apparatus according to claim 15, further comprising a correlation detecting unit that detects whether there is a correlation between a plurality

of image data, wherein the content determination unit determines to apply same image processing to the plurality of image data upon the instruction reception unit receiving different instruction information for each image data and upon the correlation detecting unit detecting that there is the correlation.

Oka et al '544 disclose comprising a correlation detecting unit that detects whether there is a correlation between a plurality of image data (column 5, lines 14-23, 32-35; "stepwise" variation of parameter is the correlation), wherein the content determination unit determines to apply same image processing to the plurality of image data upon the instruction reception unit receiving different instruction information for each image data and upon the correlation detecting unit detecting that there is the correlation (column 5, lines 24-57; column 6, lines 15-36).

Having the system of ***Saito '974 in view of Mitsubori et al '002*** and then given the well-established teaching of **Oka et al '544**, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Saito '974 in view of Mitsubori et al '002*** as taught by ***Oka et al '544***, since ***Oka et al '544*** stated in column 2, lines 29-39, such a modification would provide efficient method for printing of image.

Other Prior Art Cited

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 7193745 to Oomori discloses image processor with transmission capability.

U.S. Patent No. 5696598 to Yoshida et al discloses communication system.

U.S. Patent No. 6278529 to Akimoto discloses color/monochrome communication system.

Conclusion

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beniyam Menberu whose telephone number is (571) 272-7465. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571) 272-7314. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (571) 272-2600. The group receptionist number for TC 2600 is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov/>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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01/18/2008

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1/18/08